"Celebrate America's Rivers"

A RIVER CONSERVATION AGENDA:

1990 AND BEYOND

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The 20th Anniversary of the Wild and Scenic Rivers System

PREFACE

On November 18 and 19, 1988, American Rivers, Inc.--the nation's principal river-saving organization--cosponsored a national conference to celebrate the 20th anniversary of the passage of the National Wild and Scenic Rivers Act with three federal agencies--the U. S. Bureau of Land Management and the National Park Service (Department of the Interior) and the U.S. Forest Service (the Department of Agriculture).

The Conference was held for two reasons: first, to mark the twentieth anniversary of the passage of the National Wild and Scenic Rivers Act; and second, to examine the full range of river conservation efforts over those two decades and develop strategies for enhancing or supplementing those efforts in the future. It provided an opportunity to celebrate, to reflect, and to plan--citizen to citizen, citizen to agency personnel, agency to agency and each of these groups to legislators wanting to be better informed on river conservation.

This report is not a proceedings by the exact definition, but in the interest of brevity is a distillation of some of the ideas presented at the conference. More than 100 experts on various aspects of river conservation formally presented their views, and another 500 participants had the opportunity to discuss and debate them. American Rivers hopes that conference participants and many others across the country will work together over the next 20 years to implement the alternatives contained herein. Through joint efforts, river conservationists will immeasurably increase their effectiveness, and many more rivers will be conserved and better managed.

Finally, a special thanks is due to the U.S. Forest Service, which, through a cooperative agreement with American Rivers, provided financial support needed to produce this report. We are all indebted.

Sincerely,

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INTRODUCTION

Conference Overview

This report summarizes the ideas discussed at the Celebrate America's Rivers Conference held in Washington, D.C. in November of 1988. The conference was jointly sponsored by American Rivers, Inc., the USDA Forest Service, the USDI Bureau of Land Management, and the USDI National Park Service and attracted over 600 participants and speakers from throughout the country. Among those attending were private citizens, administrators and managers from several federal agencies, state river officials, members of the media, representatives from a host of private organizations and state and federal legislators.

A major purpose for holding this conference was to mark the 20th anniversary of the passage of the National Wild & Scenic Rivers Act. Given this, it was fitting that the conference master of ceremonies be the Honorable Stewart Udall, past Secretary of the Interior and one of the principal proponents of the Act. Secretary Udall reminded participants of the major accomplishments of river conservation and management in the past two decades. Twenty years ago, the nation lacked any national commitment to systematic river conservation. State-level river policies and programs were virtually non-existent. While acknowledging great progress at both the federal and state levels, Secretary Udall exhorted those present not to rest on their laurels but instead to focus on the future, to solidify gains, and to take additional steps to ensure wise use of our river resources.

The tone for the conference was set by the opening remarks of the leaders of the cosponsoring federal agencies. National Park Service Director William Penn Mott, Jr. challenged conference participants to gain inspiration from the accomplishments of the twenty years since the passage of the original Wild & Scenic Rivers Act and set a foundation for the next twenty years of river conservation. While acknowledging that the Wild and Scenic Rivers Act had established crucial policy, Mr. Mott expressed concern that we have yet to set clear goals for fulfilling the promise of the Act. He also cautioned that the Wild & Scenic Rivers Act must be augmented by additional river conservation tools.

Bureau of Land Management Deputy Director Roland Robison stressed the need for effective river management. It would not, he suggested, be sufficient merely to designate new wild & scenic rivers; such designation must be followed by strong and directed management. Echoing Mr. Mott, he voiced concern that the Wild & Scenic Rivers System could not be relied upon as the sole element of the nation's river management agenda. All rivers and streams deserve management attention, not merely those in the national rivers system.

Forest Service Chief F. Dale Robertson summed up the position of the leadership of the three federal agencies by expressing his impatience with the slow pace of the wild and scenic river evaluation and designation process. It is, he suggested, "time to get on with managing these rivers."

The agencies came prepared to back their statements with a commitment to action. Mr. Mott outlined a series of actions that the National Park Service was prepared to take, including placing increased priority on river management within national parks; encouraging, through technical assistance, state river assessments and the creation of state river conservation laws; re-invigoration of the Nationwide Rivers Inventory; and assistance in the development of new legislative initiatives.

Mr. Robison also identified a course of action for the Bureau of Land Management. As identified in the Bureau's "Recreation 2000 - A Strategic Plan," river recreation will be given increased attention on lands managed by that agency. New facilities and interpretation programs will be developed. Professional river managers will coordinate and oversee activities. In addition, the Bureau plans to incorporate river conservation fully into its resource management planning process. As part of that effort, the Bureau plans to inventory rivers and streams flowing through Bureau lands and identify those that are eligible for wild and scenic designation.

Mr. Rõbertson described two principal actions that the Forest Service planned to take. First, a "Conservation Partnership Program" will be initiated in order to encourage individuals and organizations to get actively involved in management of wild and scenic rivers. Second, the Forest Service will establish as a goal the identification of 200 river segments that will be recommended to Congress as additions to the Wild & Scenic Rivers System. These additions will double the number of miles of wild and scenic rivers in the national forest system. The Forest Service plans to meet this goal by 1993.

A Synthesis

The conference provided an ideal forum for surfacing new ideas for managing and protecting our nation's river resources, ideas that collectively could set the agenda for future river conservation in this country. All told, over 100 speakers championed a variety of ideas. This report seeks to compile these ideas, and, in addition, to identify the underlying themes which unify them. The heart of this synthesis is the proposition that **the nation needs a coherent rivers policy and program which provides a meaningful balance between river conservation and development. This policy should:**

- **integrate and coordinate existing federal programs that affect river conservation and use;**
- **expedite protection of free-flowing rivers; and**
- **facilitate state and local action to implement national river goals and objectives and to resolve use and management conflicts.**

A fundamental departure point for assessing river management and policy needs is the recognition that both conservation and development interests are frustrated with the present lack of coordination in river planning and management efforts. Conservationists

worry about threats to the values of special rivers, while development interests fear that unresolved disputes among competing public interests can lead to paralysis.

The public interest in river use has many facets; both conservation and development positions have merit, and, while there is bound to be some frustration with any system for making river use decisions, present levels of conflict suggest that real changes are needed. The time is ripe for change. There is a real opportunity for the diverse interests concerned with river use to come together, define a realistic and balanced agenda, and get on with it.

Thus, this report aspires to define a proposal that will further the ends of river conservation in the spirit in which Theodore Roosevelt might have used the term, that is, wise use of resources for the benefit of humankind. This approach recognizes the public need for river protection and sensitive river development alike. It encourages government decision making which expedites rather than frustrates appropriate action on both fronts.

THE PROBLEM

The Need for Improved Balance Between Conservation and Development

Rivers are of crucial importance to our nation's future. These waterways transport our goods, provide drinking water, and assimilate waste. They provide essential fish and wildlife habitat and channel floods. Rivers turn our turbines, produce our food, and provide incalculable recreational benefits and other public amenities. Indeed, the case can be made that modern civilization in the United States would not be possible if not for our rivers. How many cities and towns in this country do not owe their existence in some way to a nearby river or stream?

Paradoxically, our dependency on flowing waters often places these irreplaceable resources at risk. Consider the following:

Today, some 60,000 to 80,000 existing dams impound 600,000 miles, or 17 percent of the nation's rivers and streams. This is in contrast to the 10,000 miles of rivers and streams, or less than .3 percent, that are designated to be maintained in their natural state through the Wild and Scenic Rivers System. The impoundment of waterways continues. New dams have been proposed for 6,000 sites in the last ten years alone.

America's rivers have been impounded to produce power, subdue floods, and provide irrigation water. The Columbia, indisputably one of the nation's greatest rivers, has been impounded to such an extent that only one non-tidal segment remains free-flowing. The Stanislaus, a far smaller California river, has no less than seventeen dams over its relatively short length. The Missouri, the Snake, the Tennessee, the Connecticut, the Rio Grande, and the Colorado provide further examples of important rivers that have undergone substantial modification through impoundment. While dams do provide undeniable public benefits, they also block some of the world's most significant salmon runs, flood irreplaceable wildlife habitat and cause major changes in water quality. Many observers are concerned that siltation of reservoirs will be among the critical environmental problems of the 21st Century.

Dam building is certainly not the only activity that has radically altered America's rivers. **In the western United States water diversion for domestic and agricultural use has drastically altered the ecology of countless rivers and streams.** Diversion of water has been largely responsible for the elimination of 95% of Arizona's riparian habitat. In California's Inyo-mono region on the east side of the Sierra Mountains, an area covering thousands of square miles, 85% of the total stream miles has been affected by diversions; 25% no longer flow at all.

While many of the most dramatic examples do come from the arid west, the natural values of rivers in other regions of the nation may also be affected. Today, virtually all rapidly developing areas in the country must seek additional water supplies. Streams are often called upon to meet these needs. Even in New England, a region with seemingly

abundant water resources, there is considerable interest in diverting rivers to meet the domestic needs of growing urban areas such as Boston and Hartford.

Channelization, filling, and bank alterations have also changed the natural shape and character of Americas' rivers. Throughout history we have molded river channels to suit our needs better for navigation, land stability, and flood control. As a result, hundreds of thousands of river miles have been dredged and channelized. Their banks have been rip-rapped. Their marshy areas have been filled or drained. In some instances rivers have been modified so drastically that they are scarcely recognizable as natural features. While the straight, concrete-lined rivers of southern California are pronounced examples of channelization, virtually every city has one or more example of a river or stream whose ecology has been drastically altered through channel modifications. Channelization is also common in agricultural regions, where farmers must avoid their land shifting, eroding, or being flooded. In Illinois, for example, State officials estimate that one third of the state's river miles have been channelized.

Unwise land management such as not employing soil conservation practices on timber and agricultural land causes waterways to receive hundreds of millions of tons of eroded topsoil each year. River corridors are among the most productive lands in America; it is no coincidence that much of our food and fiber production comes from areas adjacent to rivers. Many of these shoreland areas are managed in a way that is sensitive to stream ecology. Unfortunately others are not. While great progress has been made over the last decade, through such measures as reforms in the 1985 Farm Bill, there are still far too many examples of timber harvesting, grazing, and agricultural practices stripping the land of top-soil and washing this irreplaceable resource into waterways. This degrades water quality, chokes aquatic organisms and clogs reservoirs and shipping channels.

The total amount of soil that washes into our rivers from these sources is staggering. Although numerous states are taking actions to ameliorate this problem, erosion continues. In recent years Iowa alone has been loosing 200,000,000 tons of soil per year from agricultural erosion.

Similarly, despite our progress in water clean-up, pollution remains a problem on many of the nation's rivers. The Mississippi River, America's premier intranational waterway, has been found to contain several hundred manufactured chemical compounds. The long-term effects of many of these chemicals to aquatic organisms and humans are as yet unknown. After more than two decades of water cleanup, some 25% of the nation's rivers and streams have yet to meet designated water quality standards. While great strides have been made in combating point source pollution, discharges from these industrial facilities, landfills, sewage plants, and mine tailings continue to degrade our rivers. In addition, an even greater threat comes from non-point source pollution; 65% of the pollutants presently entering our streams come from agriculture, urban run-off, and other non-point sources such as agricultural chemical use.

Mineral leaching, an unfortunate by-product of irrigation, has made downstream portions of some of America's premier rivers almost entirely unsuitable for agriculture and

domestic use. The concentration of minerals and poisons in some areas of California's San Joaquin Valley is so high that the Kesterson National Wildlife Refuge is now considered hazardous for wildlife and humans alike. In the lower reaches of the Colorado River plants are being built at tax payer expense to reduce the salt content of river water. In the long run, the cost of these plants will likely outweigh the benefit of the water being diverted for agricultural use. Even so, many believe that these efforts will not be completely successful and that Mexico and Los Angeles will continue to receive polluted water. In his book Cadillac Desert, Marc Reisner predicts that if this problem is not controlled, southern California will be forced to pay $75 million annually to counteract the effects of high salt content in its share of Colorado River water.

In the United States, over one million acres of undeveloped land are converted to urban land uses each year. For a variety of reasons, river shorelands are extremely attractive for development. As a result, urban development has altered untold thousands of miles of the nation's natural river shorelands. Continued change in land use is certain to occur as existing urban areas expand and new municipal centers are established. Indeed, many believe that the conversion of river shorelands to industrial, commercial, and residential uses may in the long run prove to be as significant of a factor in altering our rivers as diversions, channelization, and dam construction. The Wild and Scenic Rivers System has largely been directed at rivers outside of urban areas. There is no comparable program for balancing river conservation and development in urban areas.

In the final analysis, it is the combined effect of all of the factors listed above that constitutes the real threat to the natural values of our rivers. **It is entirely possible that over time a series of individually minor developments can cumulatively alter an entire river system.** While a river may have its ecological integrity maintained with sensitively designed and coordinated development, it most certainly will succumb if, as is all too frequently the case, several forms of development occur without coordination and without a concerted effort to conserve rivers.

The Need for Clearer Policy and Management Direction

Despite their importance and the multitude of pressures placed on them, there exists little or no coordinated national policy on how to manage the nation's rivers. Numerous separate federal statutes establish different aspects of federal river policy. The responsible agencies work diligently to implement their independently defined and sometimes conflicting missions, creating a situation that is bound to create problems.

There are many examples of agencies working at cross-purposes. For instance, as they have been directed, some agencies work to provide water for irrigation while others endeavor to correct the negative effects of these same diversions. Similarly, fish and wildlife agencies expend major efforts to bring back depleted salmon, shad and steelhead fisheries, while energy agencies promote and license dams that could block or impair the return of these same fish. The agencies are not to blame; they are directed by differing committees of Congress, and each has its specific mission to complete. But there is no single blueprint for how these programs all fit together to form a coherent whole.

The federal government is certainly not the only actor in managing the nation's rivers. The states also play a vital role. Yet, **19 of the 50 states lack comprehensive programs to identify and protect their most outstanding rivers.** Many existing programs need to be strengthened substantially. In addition, regardless of support from federal and state levels, effective river conservation requires community action. **The vast majority of local governments also lack fully effective river conservation programs**, and, while there are outstanding examples of watershed associations and other local river groups taking action to conserve rivers, effective private conservation groups do not exist for most of the nation's rivers.

Finally, river conservation and development activities are often not adequately coordinated among federal, state, and local governments. Consider, for example, the Federal Energy Regulatory Commission's employment of the Supremacy Clause of the U.S. Constitution sometimes to overrule state decisions to protect specific river segments. The river management problem is clear: while pressures on our rivers mount, **we continue to address river management issues using a case-by-case approach.**

A RIVERS AGENDA

Better coordinated management of the nation's waterways will require initiatives on several fronts and active participation of both government and private citizens. There is no quick fix that can resolve all of the issues facing America's rivers. We should not expect the Federal Wild and Scenic Rivers System to meet all our conservation objectives, nor can we expect any one level of government to do the entire job.

As the starting point for effective action, it is clear that **federal policy on river conservation and development needs improved focus and better coordination.** Above all else, success in maintaining our rivers' environmental values while meeting other demands requires defining a clear course of action and marshalling forces to pursue it. **Therefore, the overriding need is for a clear and understandable federal policy on river conservation, management, and use. This policy, and the program necessary to implement it should:**

1. Clearly articulate national goals and objectives;

2. Coordinate river conservation and development efforts among federal, state, and local agencies;

3. Clarify agency requirements for water project construction and licensing;

4. Strengthen state river management programs;

5. Expedite protection of outstanding rivers that qualify under the Federal Wild and Scenic Rivers Program or similar state programs and provide for additional federal legislation to protect rivers;

6. Provide the necessary financial and technical support for effective river planning and management efforts;

7. Provide incentives for local and private river conservation efforts; and

8. Establish mechanisms for restoring rivers affected by water development and urbanization.

More detail on these eight program elements follows.

Element #1: Articulate National Goals and Objectives.

The basis of any successful program is a clear understanding of what is to be accomplished. This process starts with goals and objectives defined in the statute. Such statutory mandates should be broadly applicable yet as clear and unambiguous as possible. Having a clearly defined target is crucial to the success of this effort. The Clean Water Act provided an excellent example of this when it defined the nation's water quality goal as swimmable, fishable waters.

Statutory goals and objectives for river conservation could include the miles of river to be included in the Wild and Scenic Rivers System by a given date, specific goals for anadromous fish restoration, additional hydropower capacity to be developed, no net loss to riparian wetlands, or other similar statements.

Element #2: Coordinate Federal Agency Efforts.

Clearly articulated national goals and objectives for river conservation and development will provide a target for federal agency efforts but will not necessarily assure the coordination necessary to achieve desired results. **Coordination among federal agencies, states, and local governments is critical if this nation's rivers are to be conserved for future generations.**

One such model for coordination is provided by the Federal Coastal Zone Management Act of 1972 (P.L. 92-583). In addition to articulating goals and objectives for management of the nation's ocean shorelines, it established the Office of Coastal Resource Management. This office has a lead responsibility for interagency issues in coastal management. It also works with states to define coastal zone management programs which implement national goals and objectives. In turn, through consultation and the Act's federal consistency provisions, state programs serve to coordinate federal and state agency efforts "to the extent practicable."

While a coordinated CZM-like mechanism that is established by law gives the greatest chance of success, it is possible to enhance coordination short of statute. For example, relevant agencies could agree to form an interagency river coordination committee that would assume responsibility for facilitating communication among agencies and focusing management efforts.

One very practical step that could serve to coordinate a wide variety of river-related activities would be to expand upon an administrative directive of the Carter administration for federal agencies to give explicit consideration to the natural, cultural, and recreational resource values of rivers on the Nationwide Rivers Inventory and similar state river lists before taking any action that might adversely affect these rivers. The Nationwide Rivers Inventory (NRI) is a list of more that 1,500 river segments comprising more than 60,000 miles that appear through preliminary evaluation to be eligible for inclusion in the National Wild and Scenic Rivers System. The NRI was published by the National Park Service in 1982 and is continually being updated as additional information

on rivers is assembled. Numerous states have similar lists of rivers that appear, absent detailed study, to qualify for state scenic river systems. Thirty-one states have such systems.

Element #3: Clarify Federal Requirements for Water Project Construction and Licensing.

All large and most small water projects require one or more federal licenses or permits before they can be constructed. This includes dams, many diversions, and channelization projects. Further, many of these projects are built with federal funds. Despite the importance of these licensing, permitting, and funding decisions, **the guidelines federal agencies use to determine the acceptability of projects are in need of clarification.** For example, to determine whether or not to approve a new dam, the Federal Energy Regulatory Commission must decide that the project is "best suited" to the management of the river resource. But no detailed guidance has been given as to how "best suited" is to be defined. Water quality standards are also open to broad interpretation, particularly with respect to what constitutes "beneficial uses" under the Clean Water Act. It is not uncommon for water quality decisions to be made without fully recognizing environmental values as "beneficial uses" to be conserved.

The standards for judging whether or not a federal water project will benefit the public are very general and at times can be subject to abuse. Cost-benefit analysis, which had its start in the evaluation of water projects, has often been used as a technique actually to justify a project rather than objectively to weigh public benefits.

Federal standards for licensing, permitting, and funding water projects should be evaluated, clarified where necessary, and applied uniformly. The environmental and recreational values of free-flowing rivers should be explicitly factored into licensing and funding decisions.

Element #4: Strengthen State River Management Programs.

States play a crucial role in river management. Among other activities, the states establish water law, regulate use of fish and wildlife and their habitats, and provide recreational facilities. Though usually delegated to local government, states also have authority over land use controls. Unfortunately, many states have yet to create effective river management procedures. Three initiatives are recommended to strengthen state programs. These are to: **1) develop statewide river assessments, 2) establish state rivers conservation policies, and 3) create effective river management programs.**

Successful state river programs take many forms. Some states, such as Pennsylvania and Minnesota, have established specific governmental programs to serve as advocates for rivers. Others, including Montana and California, have no one program but have established a series of mechanisms within their governmental structure to guide river use and conservation. Regardless of the approach, **each state should have a specific**

mechanism to ensure that decisions regarding rivers, whether policy or permitting, are well coordinated and that conservation values are given due consideration.

One way to encourage states to develop (or strengthen) state programs is to follow the Coastal Zone Management approach alluded to earlier, whereby the federal government provides incentives (grants and/or a guarantee of federal consistency) for states which develop programs to implement national goals and objectives. These programs are reviewed by all interested federal agencies and approved when found to meet guidelines as established by the agency or published in the Federal Register. These guidelines require, among other provisions, that certain specified environmentally sensitive areas be protected and that important types of facilities (uses of regional benefit) will not be prohibited.

The effect of federal coastal zone management policy on state coastal programs has been substantial. In contrast with past efforts which were at best spotty and uncoordinated, states are now very actively involved in protecting what is truly important, balancing competing interests, coordinating agency activities, and resolving disputes.

To strengthen river management programs further, **it would also be advantageous to affiliate the National Association for State River Conservation Programs with the National Governors' Conference.** This would serve a dual purpose of both focusing state attention on rivers and increasing the influence of state programs at the federal level.

Another state level action that would complement these activities is legislation or executive action establishing a formal statewide rivers conservation policy. In the same way that national goals and objectives provide a target for federal agencies, such policies would serve as the guidance for state level river management activities.

Statewide river inventories and assessments have proven to be effective means to develop a consensus regarding river conservation and development priorities. An assessment is a comprehensive evaluation of all the state's rivers to determine which have outstanding natural values and which have other values such as for development. What makes an assessment different from an inventory is the amount of comparative evaluation employed in setting priorities for which rivers ought to be conserved. In Maine, such an assessment became the foundation of a comprehensive state rivers policy enacted into law. Similar efforts in the four Pacific Northwest States led to a region-wide ban on new hydropower development on rivers with critical fish and wildlife habitat and a commitment to facilitate hydropower development at sites without conflicts. Information from these assessments has also been used by federal agencies in their efforts to identify potential additions to the Wild & Scenic Rivers Program. Other states, such as South Carolina, are also making effective use of statewide rivers assessments.

Several steps can be taken to encourage states to undertake river assessments. Simply educating state decision makers regarding how an assessment can be used to avoid conflict should provide considerable encouragement in states facing development pressures or controversial projects on rivers. An additional encouragement would be for the federal government to provide matching funds and/or technical planning assistance.

States could also be encouraged by making certain federal monies contingent on having completed an assessment or by ensuring federal consistency with the findings of state initiated assessments.

One area where states play a pivotal role is in the regulation of water quality. States could more actively assert their authority under the Clean Water Act to ensure that development actions will not degrade rivers' natural values. Oregon, Pennsylvania, and Wisconsin are examples of three states that effectively use their water quality review processes to conserve important stream values. Another action directed at water quality would be for states to initiate planning processes on select high priority river basins that would seek to resolve water quality issues. Florida, Vermont and North Carolina are three states that have actively pursued this concept by establishing "Outstanding Resource Waters" programs.

States also have major responsibilities over instream flow. States that have not done so should consider modifying their water appropriation laws and regulations to identify explicitly instream values as "beneficial uses" deserving of reserved water rights. There are other actions states can take to encourage the protection of instream flows including: placing instream flow conditions on water permitting, expediting instream flow studies (such as for fisheries) on priority rivers, adopting programs to appropriate flows in rapidly developing areas, acquiring consumptive water rights and reallocating those rights to instream flow uses, encouraging private instream flow appropriations such as by river outfitters, conducting comprehensive reviews of water rights records to identify potential opportunities for instream flow and streamlining their water rights adjudication processes to clarify water rights holdings on priority streams in a more expeditious way.

Hydropower licensing and planning provide another avenue for the states to become more actively involved in controlling the destiny of our rivers. The Electric Consumers Protection Act (ECPA) offers several opportunities for states to exert their influence. One such opportunity would be for the states to develop "comprehensive hydropower plans" that would guide federal licensing decisions. Early experience with ECPA indicates that states should address hydropower siting issues in their plans, indicating which rivers should be off-limits to power development while also providing guidance on which river areas are more appropriate for development. This delineation provides significant help to the Federal Energy Regulatory Commission in making its licensing decisions and avoids case-by-case conflicts. A statewide rivers assessment, such as was completed for Maine, is ideal for this purpose. Single purpose plans such as for fisheries restoration are less helpful to the FERC in making siting decisions.

Another opportunity for states is to become actively involved in the relicensing of existing projects. Comprehensive plans that are most helpful in relicensing will include plans for recreational boating, fisheries restoration, and the protection of critical riparian habitat. This elaboration will inform FERC of opportunities it has to build conditions into the renewed licenses that will protect those values. Active state participation can ensure that new licenses will include provisions for recreational enhancement and protection of instream resource values.

Element #5: Expedite Protection of Rivers That Qualify for Federal Wild and Scenic Status.

While additions to the Wild and Scenic River System over the past year are re-invigorating this program, **progress over the past twenty years has, overall, been exceedingly slow.** Of the 99 rivers authorized for study during that time period, only 23 have actually been designated, due largely to either local landowner and government opposition, lack of support at the state level, or perceived water rights conflicts. Further, individual wild and scenic studies have averaged over six years in duration. This means conditions along the rivers have changed and support for designation that might have existed at one time may have dissolved. Twenty years after adoption of the Wild and Scenic Rivers Act - an Act that was to "complement" the nation's policies on river development - less than one half of one percent of the nation's rivers have been included in the system. As noted above, progress has been particularly slow on rivers that flow through privately held lands and in states where water rights are considered to be of paramount concern.

Recent events have been more encouraging. In the 100th session of Congress, legislation was passed and signed which added a number of rivers to the national system. Wildcat Brook in New Hampshire became one of the smallest rivers in the system, as the result of overwhelming support on the part of local residents. The Wildcat is significant, however, because it affirmatively addressed local landowner concerns by using the study process for the development of a detailed management plan that took the ambiguity out of what designation would mean to the local people. Once the local people adopted the plan and were assured it was adequate for designation, they voted unanimously to include the river in the system. On a much larger scale, some 40 Oregon rivers were added as a result of a statewide Wild & Scenic Rivers effort on the part of that state's congressional delegation. This omnibus bill approach illustrates the potential for dramatically increasing the rate of designation on rivers that are largely on public lands. In addition, over the past year, both the Forest Service and the Bureau of Land Management have made significant strides in identifying rivers on their lands that are potentially eligible for designation. More than 500 rivers have been found eligible.

However, for substantial progress to continue, **we need to build on these successes and find ways to expedite identification and protection of the nation's remaining outstanding free-flowing rivers.** Ten years ago, the Government Accounting Office criticized the Wild and Scenic Rivers program for being "excessively slow and costly." They called for new approaches to expedite the process and protect legitimate public interests in river values. Since that time, the process has not been substantially refined. While comparative evaluation is the essence of determining which rivers and river features are truly worthy of protection, we continue to approach wild and scenic studies one river at a time. This approach is particularly true of rivers with substantial amounts of private land along them and is bound to produce inconsistent results which undermine the credibility of the system. In addition, this method is simply not time- or cost-efficient.

To expedite protection of the nation's outstanding free-flowing rivers we should:

1. **Re-evaluate and expand the Nationwide Rivers Inventory.** The existing inventory should be updated to incorporate new information such as the findings of recent state and agency river assessments. The inventory should also be computerized to facilitate future updates.

2. **Solidify the Nationwide Rivers Inventory's position in the resource decision-making process.** Steps should be taken to ensure that resource values identified in the NRI are given adequate consideration before actions are taken that might degrade these rivers. The cornerstone to this concept would be a requirement that wild and scenic river eligibility and suitability assessments be completed on river segments in the Nationwide Rivers Inventory before applications for new dams or other federal projects are approved.

3. **Update the interagency wild and scenic river guidelines.** Guidelines should be refined to include a systematic process for determining what type of river features qualify as "outstandingly remarkable" and how suitability standards will be applied. Suitability standards currently employed by the agencies appear to be too general and provide little guidance on how to balance the outstanding values of a river with potential needs for economic development or ownership conflicts. Moreover, additional guidance is needed to encourage more effective public involvement in the river planning process in a way that can build support for river conservation by pointing out the inherent flexibility of the Wild and Scenic Rivers Act. Guidelines should also identify standards for evaluation of rivers proposed for designation under the state-initiated 2a(ii) process.

4. **Complete wild and scenic river assessments and designations on federal lands through a streamlined process.** The efforts underway on Forest Service, Bureau of Land Management, and National Park Service lands should be supported and similar efforts initiated on other federal lands, such as those managed by the U.S. Fish & Wildlife Service and the Department of Defense. Moreover, these agencies should plan their activities jointly for rivers that flow across lands adjacent to one another.

5. **Encourage up-front management planning for wild and scenic river candidates on private lands.** Traditionally, a river is designated into the national system and then a management plan is prepared. As was demonstrated with Wildcat Brook in Jackson, New Hampshire, up-front management planning with effective local participation can alleviate local concerns and demonstrate to skeptical landowners that including a river in the Wild and Scenic Rivers System may be in their best interest. The Wildcat designation also points out the opportunity for a local community to be the primary manager of that segment of a designated river that flows within its jurisdiction.

6. **Develop a complementary program for rivers that flow through private lands, including urban rivers.** A new program is needed to ensure that significant rivers that flow through private lands are afforded adequate protection. This new initiative could be accomplished through a revision to the current Wild & Scenic Rivers Act or through a totally new program. This initiative could take the form of a "free-

flowing rivers act" that would afford these rivers protection from dams and other instream projects but not require corridor restrictions. This new program could offer incentives to landowners to conserve their riverfront lands. Another possibility is to establish a national register of rivers that permits state and local governments to develop their own plans and then apply to the federal government for a registration that would give added recognition to the river and make federal action in the river corridor more consistent with the state or local plan for the area.

Element #6: Provide Technical Support.

The National Park Service has provided, for several years, technical river planning assistance to states, local governments, and private landowners. Park Service technical assistance has taken many forms including assistance with statewide river assessments and policy, preparation of river corridor plans, and site specific planning and design. Conservation organizations have also helped promote wise use of rivers by providing specialized expertise. American Rivers, Inc. has focused on providing policy assistance; other organizations have emphasized specialized assistance in such areas as stream restoration and water quality monitoring. These public and private programs have proven to be an effective and low-cost means of promoting wise use of river resources. There is currently more demand for these services than capability to provide them. **The National Park Service's Rivers and Trails Conservation Assistance Program should be expanded through increased funding. American Rivers, Inc. and other private conservation organizations should consider expanding their ability to offer technical assistance.** In both instances, the crucial factors are stable funding and adequate staff development programs.

The technical assistance concept could have an even greater impact if the Forest Service and Bureau of Land Management were to offer technical assistance services. Both of these agencies manage rivers and streams that flow between federal and private lands. A technical assistance capability would allow these agencies to work with adjacent land owners and state agencies to ensure compatible resource management of these rivers.

States could also provide meaningful technical assistance. They could, for example, assist localities by preparing model shoreland zoning ordinances, greenway ordinances, corridor commission charters, and conservation easement contracts. State and regional planning agencies can also spread the word among local governments and the development community regarding innovative techniques for encouraging cluster development, maintaining open space, and public access.

A central clearinghouse for river information would greatly enhance the entire technical assistance effort. This clearinghouse could build on existing information held by a variety of agencies and organizations. The clearinghouse could provide summary statistics, maps, information on trends and new developments, and referrals to persons knowledgeable about river management issues and events.

Element #7: Provide Incentives for Local and Private River Conservation Efforts.

Regardless of actions taken at the federal and state levels, **optimum conservation of the nation's river resources requires effort at the local level and in the private sector.** Indeed, if river protection is to succeed, it must be both a "bottom up" and a "top down" process. One of the most promising emerging ideas in local river conservation is the development of river corridor management plans. These plans, often referred to as "greenway plans" are most successful when developed through a cooperative effort involving a variety of river interests. Greenway planning has proven to be an effective way to encourage cooperation and consistency in the management of riverfront lands, especially along rivers that flow through several communities or jurisdictions. Federal, state, and local government can facilitate greenway planning and other local efforts by providing technical planning assistance, financial support, and a variety of other incentives.

The federal government can encourage private and local government river conservation directly and indirectly by providing:

- o matching grants for river planning and assessment,
- o matching grants or low-interest loans for acquisition and appropriate development of riverfront lands,
- o fee structures (e.g., rates charged for irrigation water) which encourage the maintenance of instream flows,
- o guarantees that federal agencies will honor river conservation plans developed by states and local governments (such as Coastal Zone Management and the Electric Consumers Protection Act), and
- o enhanced tax incentives for private river conservation efforts.

Likewise, states can encourage local governments and private parties to undertake river conservation work by providing:

- o state matching grants for river conservation planning and acquisition,
- o guarantees of state consistency with approved local conservation plans,
- o enhanced tax incentives for maintaining corridor open space (e.g., an open space tax law), water conservation, and the donation of riverfront easements,
- o regulatory incentives (e.g., density bonuses) for developers to conserve open space, public access, and river values, and
- o authorization of river corridor commissions and similar inter-local initiatives,

- o encouraging appropriations of water rights for instream flow purposes,
- o encouraging voluntary cooperative agreements with owners of rights in land and water along rivers,

For their part, local governments can encourage private river conservation by establishing:

- o fee structures (e.g., water rates) which encourage the maintenance of instream flows,
- o enhanced tax incentives to encourage river conservation,
- o a local land trust to accept conservation easements,
- o regulatory incentives (e.g., transferrable development rights) for developers to maintain open space, protect river values, and provide public access,
- o Integrating their floodplain and wetland protection programs with river corridor conservation objectives.

Element #8: Establish Mechanisms to Compensate for Past Development.

Many of this nation's river systems have undergone substantial modification as the result of federally funded flood control, water diversion, and hydropower projects. The natural environment has often suffered as a result of these projects. The Columbia River is one such system. Here the nation's most productive salmon fishery was displaced by a series of hydropower and storage dams. Recognizing this loss, Congress established the Northwest Power Planning Council which, among other things, was given the charge to create a program for re-establishing fish runs and wildlife habitat destroyed by these dams. Indications are that the Council, with assistance from the states, tribes, utilities, and others, will be successful. **If this regional council concept can be successful for the Columbia, why not apply it to other major river systems, such as the Colorado and the Tennessee, that also have been impacted by federal power and irrigation projects?**

Another opportunity for restoring balance between existing development and conservation is offered by the Electric Consumers Protection Act and the re-license of hydropower and storage dams. The Act gives specific authority to agencies and Indian tribes to identify actions that should be taken to ensure that public amenities are provided and that environmental quality is enhanced. There also appears to be an opportunity under that Act to propose non-power licenses for select dams located on rivers with high natural values. While there are few precedents for this alternative, there is no reason why non-power or modified power licenses could not be held by communities or citizen groups.

A major boost for river restoration would be the enactment of a federal "Rivers Recovery Act." The River Recovery Act would provide funding and other incentives for

restoration of rivers impacted by development. Funds could be used to remove dams that have outlived their usefulness, restore river channels and corridor vegetation, or increase flow.

A parallel concept, a "Metropolitan Rivers Act" could provide funds to encourage cities and towns to re-vitalize waterfronts that have been degraded through development. Several communities have shown that urban streambanks can be converted from eyesores to public assets. San Antonio, Boise, Boston, Denver, Milwaukee, Portland, Rochester, and Santa Fe are but a few examples. In these and other towns river restoration projects have enhanced environmental quality, provided public use areas, and re-vitalized local economies. Such an act would authorize the federal government, with possible contribution from states, to establish a rivers improvement fund. This fund would provide matching grants or loans to cities or appropriate private organizations in order to reclaim under-utilized river front areas for public parks, walkways, or open space or to refurbish commercial areas to take advantage of river amenities.

IMPLEMENTATION

The progress made in river conservation over the past two decades provides an excellent foundation for an effective and coordinated rivers conservation program. However, as highlighted in this report, much remains to be done. Implementing a coordinated river conservation agenda that can ensure healthy rivers for future generations will not be easy. It will take time to lay the groundwork and develop a constituency for substantive change.

No one organization or agency can be expected to carry the obligation alone. A series of coordinated and directed actions will be required. Participants in the November, 1988 Celebrate America's Rivers Conference identified many of these actions. This report endeavors to distill the ideas raised by conference participants into a coherent action package. In summary form, these actions, and the organizations that could take the responsibility for their implementation, are as follows:

Expedite River Inventories and Assessments

- States which have not done so should undertake assessments of their river resources to determine which stretches have exceptional public value.

- The Departments of Agriculture and Interior should refine their guidelines for wild and scenic river studies to reflect the knowledge gained since guidelines were last released in 1982. Refinements should specifically clarify how to identify "outstandingly remarkable" values and make judgments on suitability. They should also clarify how management plans should be prepared and what they contain.

- The Forest Service, Bureau of Land Management, and National Park Service should complete the inventories of potential wild and scenic rivers on lands which they manage and should coordinate those efforts to the extent practicable.

- The river conservation community should solicit funds (perhaps a challenge grant and/or a public private partnership) to refine the National Rivers Inventory by conducting systematic regional analyses of rivers which may qualify for wild and scenic status. Moreover, they should refine and update the American Rivers Outstanding Rivers List to serve as a more useful compilation of rivers deserving of priority attention at all levels of government and the private sector.

Refine Federal and State River Conservation Policy

- The river conservation community should develop legislative concepts and circulate them as alternatives to:

  1. Require that wild and scenic river assessments be completed for rivers on the Nationwide Rivers Inventory before water resource development projects are approved or constructed,

  2. Withhold federal assistance for projects that would adversely effect rivers on the Nationwide Rivers Inventory,

  3. Protect certain stretches of rivers from new dams without restricting the use of private land,

  4. Provide funding and guarantees of federal consistency for states with federally approved river conservation programs, and

  5. Provide federal funds for river restoration and for enhancement of shorelines in urban areas.

- States which have not done so should develop river conservation alternatives which address:

  1. River stretches to be preserved in their natural state,

  2. River stretches to be restored,

  3. Management of water quality and quantity to protect instream uses,

  4. Incentives for local and private river conservation efforts, by ensuring state consistency and by providing state funding, and

  5. Incentives for developers to conserve open space and provide public access.

Provide Predictable Funding

- The river conservation community should work with Congress and the Bush administration to secure a stable source of funding for national and state river conservation programs.

Improve the Organization of River Conservation Efforts

- To make it an effective player in representing state interest in the national policy debate, the National Association of State River Conservation Programs should seek to affiliate with the National Governors Association.

- To enhance the visibility of river conservation and strengthen its contact with local groups, American Rivers, Inc. should establish offices in each region of the country.

- The federal agencies involved with river management in each region of the country should, in consultation with state governments, evaluate the need for regional councils (such as the Northwest Power Planning Council) to address regional river problems.

- Federal agencies should form partnerships with one another and with the states to improve management of rivers.

- Local grassroots organizations should be enfranchised to provide river stewardship.

Increase the Availability of Technical Assistance

- The National Park Service should seek funds to expand its Rivers and Trails Conservation Assistance Program.

- The Forest Service and Bureau of Land Management should seek funding for and provide technical assistance for rivers flowing between public and private lands.

- American Rivers, Inc. should seek funds to establish regional offices.

- The river conservation community, Forest Service, Bureau of Land Management and National Park Service should determine where to establish a national clearinghouse for information on river conservation and seek funding to set up this function.

Improve Federal Regulation of Water Projects

- Congress should direct the Government Accounting Office to evaluate where Federal regulations on water project funding or licensing are ambiguous or in conflict and to make recommendations as to how such ambiguities might be eliminated.

- Congress should require the Bureau of Reclamation to establish fee structures that encourage maintenance of instream flows and values.

While any one of the above actions could be initiated independent of the others, implementation through an integrated and cooperative approach is the best way to assure a coherent result. **An effective way to set the stage for concerted action would be to create a high-level panel charged with evaluating the effectiveness of federal and state river programs, refining proposals such as those presented in this report, and integrating these concepts into a balanced administrative and legislative package.** This panel, which could be established through either executive or congressional action, would provide both the visibility and balanced perspective necessary to ensure ultimate success.

* *

The Celebrate America's Rivers Conference hopefully sets the tone for river conservation in the next decade. That tone was upbeat and optimistic. Through their enthusiasm, conference participants demonstrated that they are willing to meet the challenges that lie ahead. This report presents specific actions that were discussed at the conference and that can be taken to improve the management of America's rivers. Success depends on maintaining the enthusiasm shown at the conference and working together. As Forest Service Chief Robertson reminded us, "**it is time to get on with managing these rivers.**"

APPENDIX A: Agenda: Celebrate America's Rivers Conference November 18-19, 1988

Thursday, November 17

Day Meetings: National Association of State River Conservation Programs
U.S. Forest Service, Regional Representatives
National Park Service, Regional Representatives
Bureau of Land Management, Regional Representatives

5:00-8:00 **Early Registration** . . . . . *Lower Lobby Foyer*

Evening No Planned Activities

Friday, November 18

7:00-8:45 Registration & Coffee . . . . . *Lower Lobby Foyer*

8:45-9:00 Welcome Session . . . . . *Plaza West*
Ralph Luken, *Chairman, American Rivers*
W. Kent Olson, *President, American Rivers*

9:00-9:25 Keynote Address: "Rivers, the Conservation Priority for the 90's"
The Honorable Stewart L. Udall, *Secretary of the Interior, 1961-1969*

9:25-11:00 Panel Discussion: "The Federal Role in River Protection:
How to Finish What We Have Begun"
The Honorable Stewart L. Udall, *Moderator*
Frank Craighead and John Craighead, *Principal Founders, National Wild and Scenic Rivers System*
William Penn Mott, *Director, National Park Service*
F. Dale Robertson, *Chief, U.S. Forest Service*
Rafe Pomerance, *Senior Associate, World Resources Institute*
The Honorable Gaylord Nelson, *Counselor, The Wilderness Society*
Roland Robison, *Deputy Director, Bureau of Land Management*

(followed by questions and comments from the audience)

11:00-11:30 Address: "The Modesty of River Conservation"
W. Kent Olson

11:30-12:00 Break and book signing, move to Plaza East for luncheon (ballroom)
During the break, there will be a book signing by Stewart Udall in the foyer at ballroom level. Courtesy of the Trover Shop, the Capitol Hill bookseller, copies of Mr. Udall's 1988 revised edition of the conservation classic The Quiet Crisis *will be available for purchase at $20.00 including tax. Signing will continue at 3:00 break.*

12:00-1:45 Luncheon . . . . . *Plaza East*

"Preserving Rivers as Greenways"
Patrick F. Noonan, *President, The Conservation Fund*

"The Wild and Scenic Rivers of America" – BLM Slide Presentation

Presentation of the ""The American Rivers Outstanding Rivers List" –
A Compilation of 50 States' Special Recreational Resources
John D. Echeverria, *General Counsel, American Rivers*

2:00-3:15 POLICY SESSIONS: choose 1 of 6 concurrent workshops (see below)

Track I: State and Local River Preservation
Building a Superior State River Program . . . . . *Dogwood Room*

Track II: River Stewardship
Managing River Recreation Activities . . . . . *Poplar Room*

Track III: River Planning and Management
Planning for River Protection on Federal Lands . . . . . *Walnut Room*

Track IV: Future Federal Protection
Strengthening the National Wild and Scenic Rivers System . . . . *Beech Room*

Track V: Other Tools for River Protection
Using the Nationwide Rivers Inventory and Other Databases to Identify Outstanding Rivers . . . . . *Hickory Room*

Track VI: Films . . . . . *Amphitheater*

3:15-3:45 Break and book signing by Stewart Udall, *The Quiet Crisis*, in ballroom foyer. Courtesy of the Trover Shop, Capitol Hill. (See 11:30 time slot, above, for details.) . . . . . *Lower Lobby Foyer*

3:45-5:00 POLICY SESSIONS: choose 1 of 6 concurrent workshops (see below)

Track I: State and Local River Preservation
Undertaking Statewide Rivers Assessments to Set Protection Priorities . . . . . *Dogwood Room*

Track II: River Stewardship
Using Economic and Community Benefits to Promote River Conservation . . . . . *Poplar Room*

Track III: River Planning and Management
Using Management Techniques for Protecting Riverine Values . . . *Walnut Room*

Track IV: Future Federal Protection
Using the 101st Congress to Further River Conservation . . . . . *Beech Room*

Track V: Other Tools for River Protection
Using Hydro Licensing and Relicensing as Tools . . . . . *Hickory Room*

Track VI: Films . . . . . *Amphitheater*

6:00 Cocktails "no-host" . . . . . *Lower Lobby Foyer*

7:00 Awards Banquet . . . . . *Grand Ballroom*

The Honorable Stewart L. Udall and W. Kent Olson, *Masters of Ceremonies*
Awards for Distinction in River Conservation

Special Policy Announcements
William Penn Mott
F. Dale Robertson
Roland Robison

Films: "River Song" and "Lunch at Clavey Falls" by Don Briggs

(Seating at banquet is assigned — consult directory that evening)

Saturday, November 19

8:00-9:00	Coffee	*Lower Lobby Foyer*
9:00-10:15	Policy Sessions: choose 1 of 6 concurrent workshops (see below)	
	Track I: State and Local River Preservation Using Grassroots to Foster Local Stream Conservation	*Dogwood Room*
	Track II: River Stewardship Managing Glen Canyon Dam to Upgrade the Colorado River	*Poplar Room*
	Track III: River Planning and Management Using Public/Private Partnerships to Plan and Manage Rivers	*Plaza A Room*
	Track IV: Future Federal Protection Employing Underused Federal Programs to Protect Rivers	*Beech Room*
	Track V: Other Tools for River Protection Using Water Rights to Protect Rivers	*Hickory Room*
	Track VI: Films	*Amphitheater*
10:15-10:45	Break	
10:45-12	Policy Sessions: choose 1 of 6 concurrent workshops (see below)	
	Track I: State and Local River Preservation Getting FERC to Recognize Your State River Conservation Plan	*Dogwood Room*
	Track II: River Stewardship Treating the Platte as a River System	*Poplar Room*
	Track III: River Planning and Management Managing Rivers Through Interagency Cooperation	*Plaza A Room*
	Track IV: Future Federal Protection Creating New Federal Programs to Protect Rivers	*Beech Room*
	Track V: Other Tools for River Protection Investigating Land Protection in the River Corridor	*Hickory Room*
	Track VI: Films	*Amphitheater*
12:30-2:00	Lunch	*Plaza East*
	"The Importance of State & Local Cooperation in River Protection" The Honorable Bruce F. Vento, *United States Representative, Minnesota*	
	Awards for Distinction in River Conservation	
2:00-2:15	Break to reassemble	
2:15-3:00	Recommendations from the Policy Sessions Kevin Coyle, *Vice President, American Rivers*	*Plaza West*
3:00-3:30	Closing Remarks "River Protection: The Next Year" W. Kent Olson, *American Rivers*	
3:45-6:30	American Rivers Board of Directors meeting	
Night	"Washington After Dark" Tour (optional)	

Sunday, November 20

9-12	American Rivers Board of Directors Meeting
Morning	Tour of Washington (optional)

Workshop Sessions

Track I: State and Local River Preservation

1. Building a Superior State River Program — Fri. 11/18 – 2-3:15

Thirty-one states have river protection laws, but the laws vary widely in quality. Only a handful of states have comprehensive river programs. What elements do the best programs have in common? How can a state develop a program of high-grade protections approximating those afforded by federal designation? For example, is Maine's excellent Rivers Act a useful model? It covers three percent of Maine's rivers, a protection rate 15 times greater than the rate at which rivers have been added to the federal system, and the Act gives something to developers too. And how can states use SCORPs (Statewide Comprehensive Outdoor Recreation Plans) to give river protection an extra boost?

Derek Richerson, MD Scenic River Manager, Moderator
Suzi Wilkins, Director of River Protection, American Rivers, Inc.
Einar Olsen, State Outdoor Recreation Planning Manager, National Park Service
Alec Giffen, Land & Water Associates, Inc.

2. Undertaking Statewide Rivers Assessments to Set Protection Priorities — Fri.11/18 – 3:45-5

A statewide rivers assessment may be the most important element of an excellent state rivers program. An assessment objectively identifies rivers, and ranks them according to highest value whether for full preservation, partial use, or heavy development. South Carolina and four northwest states have just completed state-of-the-art assessments. How does a state begin one? What riverine values are studied? How do citizens and state agencies take part? How can states get technical assistance from the National Park Service? How are conflicts among users resolved? How does an assessment integrate with other resource inventories? In what ways can a completed assessment be used?

J. Glenn Eugster, Mid Atlantic Region, National Park Service, Moderator
Barry Beasley, Coordinator, South Carolina Scenic Rivers Program
Vern Husek, New York Scenic Rivers Program
Steve Starlund, Manager, Washington State Scenic Rivers Program

3. Using Grassroots to Foster Local Stream Conservation — Sat. 11/19 – 9-10:15

Without the direct long-term involvement of local people, a river has no effective constituency. River conservation begins at the grassroots, and local organizations often advise and support managing agencies whether a state or federal wild and scenic designation or some form of urban/waterfront protection is appropriate. What is needed to expand local citizen participation in river protection? What kinds of cooperation can insure management of the corridor after designation? How can local citizens implement actual protection policies? What kinds of basic river education are needed for the general public and how will those be provided?

Robert L. Herbst, Executive Director, Trout Unlimited, Moderator
Phillip Wallin, Director, River Network, Inc.
Dave Dickson, Izaak Walton League
John Amodio, Board Member, Tuolumne River Preservation Trust
Ann Breen, Co-director, The Waterfront Center

4. Getting FERC to Recognize Your State River Conservation Plan — Sat. 11/19 – 10:45-12

The Federal Energy Regulatory Commission (FERC) approves about 200 hydro projects a year. Many hydro developers currently enjoy guaranteed markets for their power, enormous tax benefits, and the right of eminent domain, and are allowed to site new projects virtually anywhere except on federally designated rivers. As the nation turns toward clean energy, conservationists must be sure that hydro development is directed away from rivers "protected" in state systems or identified for preservation. Recent changes in the Federal Power Act provide that opportunity, and enable federal land managing agencies, too, to submit "comprehensive plans" that FERC must consider when judging a hydro application. How can states and federal agencies take advantage of the amended law? How applicable is the Northwest Power Planning process which specifies stretches where hydro will or will not be developed to the rest of the country? How can states use Section 401 of the Clean Water Act to regulate hydro projects?

John Echeverria, General Counsel, American Rivers, Moderator
Dean L. Shumway, Federal Energy Regulatory Commission
Dave Conrad, Friends of the Earth
Dana Paul Murch, Hydropower Coordinator, Maine Dept. of Environmental Protection
Ron Stork, Friends of the River, Inc.

Track II: River Stewardship

5. Managing River Recreation Activities — Fri. 11/18 – 2-3:15

As river recreation grows, so does the potential for conflicts among competing uses. Setting overall "carrying capacity" can be a good first step to minimize impacts on the physical resource and optimize the number of people who can use a river. But that does not address the often divergent needs of, for example, professional outfitters and private boaters, anglers and canoeists, hikers and trail bikers. How can river amenities be allocated to meet legitimate competing needs? How can trespass on private property be prevented?

John Butruille, Director of Recreation, US Forest Service, Moderator
Sheri Griffith, President, Western River Guides Association
Frank W. Snell, Chief of Recreation, Cultural & Wilderness Resources, Bureau of Land Management
Al Ainsworth, Northwestern Rafters, Oregon
Bill Yellowtail,* Wyoming State Senator
* to be confirmed

6. Using Economic and Community Benefits to Promote River Conservation — Fri. 11/18 – 3:45-5

Conservationists are increasingly using economic arguments to justify river preservation. Preserved rivers passing through federal lands, municipalities, and private lands can produce measurable and "shadow" benefits for states, communities, and private owners. What are the potential benefits? Where have such benefits been realized? How can econometrics be employed to increase public acceptance of river conservation proposals?

William Spitzer, National Park Service, Moderator
Mit Parsons, Legislative Resource Specialist, US Forest Service
Greg Alward, US Forest Service, Ft. Collins, Colorado
Bill Hansen, Army Corps of Engineers

7. Managing Glen Canyon Dam to Upgrade the Colorado River — Sat.11/19 9-10:15

Glen Canyon Dam regulates the flow of this spectacular river, limiting natural deposition of sediment, eroding beaches, altering ecological resources, and affecting recreational patterns. What release changes are needed to revitalize the river's resources and improve conditions for recreation? How can government be persuaded to change the flow regime? Do the present efforts of conservationists to improve the operations of Glen Canyon Dam provide a model for similar efforts at other major federal dams that adversely affect recreation, fish and other resources?

Ed Norton, Grand Canyon Coalition, Moderator
David L. Wegner, Project Manager, Glen Canyon Environmental Studies, US Bureau of Reclamation
John Echeverria, General Counsel, American Rivers
Sheri Griffith, President, Western River Guides Association

8. Treating the Platte as a River System — Sat. 11/19 10:45-12

The world renowned Platte River is threatened by, among other things, the proposed Two Forks Dam (South Platte, Colorado) and the current hydro operations of Kingsley Dam (mainstem Platte, Nebraska). Many federal and state agencies, local and national non-profits, and private citizens are involved in evaluating the existing and potential impacts, in the most visible river issue of 1988. What are the cases for and against Two Forks? What alternative water supplies exist for metropolitan Denver if the dam is not built? How can Kingsley Dam be operated to guarantee critical downstream flows for 500,000 sandhill cranes? What happens to the Platte River system under different proposals? How does the Colorado governor's call for a state-preserved river affect the federal agencies charged with managing the South Platte for the public benefit?

W. Kent Olson, President, American Rivers, Moderator
Dan Leucke, Environmental Defense Fund
Liz Raisbeck, National Audubon Society
Monte Pascoe, Chairman, Denver Water Board

Track III: River Planning and Management

9. Planning for River Protection on Federal Lands — Fri. 11/18 – 2-3:15

The US Forest Service is engaged in a nationwide planning process of unprecedented scope, which provides interim protection for hundreds of National Forest rivers. The Park Service and BLM are undertaking a similar exercise. The combined efforts could lead to a profound enlargement of the National Wild and Scenic Rivers System. How can other land-owning agencies (Fish and Wildlife Service, Department of Defense, etc.) be encouraged to begin comprehensive planning for rivers? What administrative procedures can be streamlined to help agencies complete the planning phases? How can the private sector and public officials collaborate to insure the efficient conversion of temporary protections into permanent designations? What kinds of negotiating techniques favor maximizing the number of future designations? How can the forest products industry and other for-profit interests join in rivers planning, as has occurred in Minnesota?

Kevin Coyle, Vice President & Conservation Director, American Rivers, Moderator
Gary G. Marsh, Natural Resource Specialist, Bureau of Land Management
Bob Dreher, Sierra Club Legal Defense Fund
Daniel H. Mundt, attorney, Minnesota Forestry Assoc.
Deen Lundeen, US Forest Service

10. Using Management Techniques for Protecting Riverine Values — Fri. 11/18 – 3:45-5

Rivers have multiple values to society. Among the least recognized free services provided by natural rivers, their watersheds and wetlands, are the feeding of distant aquifers, the filtering and slow releasing of groundwater, and the absorption of floods. With reductions in federal budgets, public land managers face difficult obstacles in weighing these and other values, and in managing rivers to yield optimum flows and to balance competing uses. What values are receiving the least and most attention of managers? What needs to be changed? What can private citizens do to help?

Tim Palmer, Author: Endangered Rivers and the Conservation Movement, Moderator
Thomas P. Lennon, Branch Chief, Rivers, Trails & ORV's, US Forest Service
Loring Schwarz, Consultant
Rhey M. Solomon, Water Resources Program Manager, US Forest Service
John Dowd, University of Georgia
Steve Johnson, Southwest Representative, Defenders of Wildlife

11. Using Public/Private Partnerships to Plan and Manage Rivers — Sat. 11/19 9-10:15

By signed cooperative agreement, the Forest Service and the non-profit Appalachian Mountain Club (AMC) co-manage much of the visitor use in the White Mountain National Forest (New England), one of the nation's heaviest used. The benefits of this longstanding public-private partnership include lower federal costs, ability to recycle user fees directly into the backcountry, presence of a supportive constituency for the managing agency, and ability to raise private, tax-deductible funds for facilities development and management. Because AMC's public service mission is consistent with the agency's own, the agency does not encounter many problems commonly associated with for-profit concessionaires. Could such partnerships improve the management of public rivers, especially in times of stressed federal budgets? In light of the prospective enlargement of the national rivers system, should some existing and new non-profits orient toward a management mission? How would the agencies and the non-profits structure the partnerships?

Tom Deans, President, Northern New Hampshire Foundation, Moderator
Chuck Hoffman, Hoffman and Williams, Inc.
Mary Humphrey, Board, Amigos Bravos: Friends of the Wild River, Inc.
Tom Mottl, River Manager, Bureau of Land Management, New Mexico

12. Managing Rivers Through Interagency Cooperation — Sat. 11/19 10:45-12

Rivers heed no political boundaries, but agencies do. Some managing agencies are funded better than others. One way of managing a multi-jurisdictional river is for agencies to transfer responsibilities, whether among federal bureaus, or between federal and state governments, or with local governments in the mix. On Colorado's heavily visited Arkansas River, the State's Division of Parks and the BLM (principal riparian owner) have launched such an arrangement. How is it working? What are the possibilities elsewhere? How can the public support such efforts? Can Federal/state cooperation, such as occurs in Montana, be used elsewhere to manage rivers throughout a state?

Gerald D. Patten, Associate Director, Planning and Development, National Park Service, Moderator
Edgar B. Brannon, USFS,Forest Supervisor Flathead National Forest
Robert H. Lund, Program Leader, Bureau of Land Management, Montana
Bill Luscher, State Director, Bureau of Land Management, Oregon/Washington
William F. Conklin, USFS, Siskiyou National Forest
Ron Holliday, Director, Colorado State Parks
George Leonard, Associate Chief, US Forest Service

Track IV: Future Federal Protection

13. Strengthening the National Wild and Scenic Rivers System — Fri. 11/18 – 2-3:15

The Wild and Scenic Rivers Act is the strongest statutory tool available to protect rivers. But after twenty years, less than one-quarter of one percent of all US rivers enjoy such protection. Because of large-scale river planning now being completed by the Forest Service and started by other agencies, Congress will soon face a large number of proposed designations. How do we transform the present Wild and Scenic System, our least fulfilled system of federally protected resources, into something to stand shoulder-to-shoulder with the other great American legacies: the National Forest System, National Park System, Wilderness System, and National Wildlife Refuge System? Is it time to amend the Act, to streamline the ungainly and time consuming processes of study and designation? Can it be strengthened without jeopardizing it? Can more states be encouraged to file for federal designations under section 2 (a)(ii) to gain the highest protection while retaining full legal authority over the rivers?

Chris Brown, Rivers & Trails Conservation Assistance Program, National Park Service, Moderator
John Haubert, Outdoor Recreational Planner, National Park Service
Chuck Clusen, Executive Director, Adirondack Council
J. Glenn Eugster, National Park Service
James B. Snow, Deputy Assistant General Counsel, US Department of Agriculture

14. Using the 101st Congress to Further River Conservation — Fri. 11/18 – 3:45-5

With the publication of the report of the President's Commission on Americans Outdoors, an important conservation agenda was put before the nation. What can we do to insure passage of the American Heritage Trust Fund Act, replacing the Land and Water Trust Fund and providing a steady $1 billion a year for conservation? How do we advance the concept of Greenways for America, linear corridors of public and private lands to link open spaces? Will omnibus rivers bills, such as Oregon's, set the standards for future Wild and Scenic legislation? Can we strengthen state river protection by providing federal financial support for state and local river efforts and by recognizing state planning through statute, so as to limit FERC licenses, for example?

Patrick F. Noonan, President, The Conservation Fund, Moderator
David Burwell, President, Rails-to-Trails Conservancy
Bob Doppelt, President, Oregon Rivers Council
David Bolling, Executive Director, Friends of the River
Peter H. Kostmayer, U.S. House of Representatives, (Pennsylvania)*
* to be confirmed

15. Employing Underused Federal Programs to Protect Rivers — Sat. 11/19 9-10:15

A number of lesser-known federal laws and regulations can provide varying degrees of river protection. What are some of the most promising: community development, floodplain management, Coastal Zone Management? How can they be used? Should other federal agencies offer, as does the Park Service, a technical assistance program to foster river conservation by communities and states?

Brent Blackwelder, Environmental Policy Institute, Moderator
Dick Gardner, National Oceanic & Atmospheric Administration
Erik Meyers, Environmental Law Institute
Barry Flamm, Chief Forester, The Wilderness Society
Verne Huser, author

16. Creating New Federal Programs to Protect Rivers — Sat. 11/19 10:45-12

Although a flexible tool, the Wild and Scenic Rivers Act cannot protect all rivers deserving federal attention. Adapting other existing federal tools can help, but new ones are needed too. Should a Congressional Commission on Rivers be established? Should Indian Nations consider pushing for an Indian Heritage Rivers Act to protect reservation rivers and off-reservation sacred sites? Should future development on floodplains and other sensitive river areas be declared ineligible for federal subsidies, as were barrier islands? Should Congress legislate a Damless Rivers Enabling Act, authorizing states to pass laws permanently forbidding structural alterations to certain river stretches but imposing no land use controls whatsoever?

Ralph Luken, Environmental Protection Agency, Moderator
J. Glenn Eugster, National Park Service
Sally Ranney, President, American Wilderness Alliance
Suzanne Harjo, North American Congress of Indians
Bern Collins, Planner, National Park Service
Kevin Coyle, Vice President & Conservation Director, American Rivers

Track V: Other Tools for River Protection

17. Using the Nationwide Rivers Inventory and Other Databases to Identify Outstanding Rivers

Fri. 11/18 – 2-3:15

River conservation is sometimes reactive rather than anticipatory. The Nationwide Rivers Inventory (NRI), statewide rivers assessments, natural heritage programs, and certain geographic information systems are tools to set state and federal river protection priorities, inform constituencies, and reach consensus on proposed actions and thereby avoid costly conflicts over which rivers will be developed and which protected. How does each tool work? How can states, federal agencies, and non-profits use them to further river preservation? How can we complete the NRI? Should the NRI be given statutory status, like the official Endangered Species List? How do we gain special recognition for adventure class white water?

Drew Parkin, Land & Water Resources, Moderator
Pope Barrow, American Whitewater Affiliation
Bern Collins, Planner, National Park Service
Earl N. Reinsel, Forester, US Forest Service, Montana

18. Using Hydro Licensing and Relicensing as Tools

Fri. 11/18 – 3:45-5

Recent amendments to the Federal Power Act allow state governments, municipalities and non-profits to impose conditions on private hydro dams due for relicensing. It is now possible to require dam operators to construct adequate fish passage for anadromous species such as Atlantic salmon, guarantee downstream flows for ecological and recreational purposes, and provide public access to the river. In some instances, conservationists can apply for a "nonpower license," the right to have a dam removed, "re-creating" a natural river. Between now and the year 2000, about 250 hydro projects will come up for relicensing, offering an unprecedented opportunity for conservationists to improve degraded rivers. Where is relicensing now underway? What can be done by consortiums of non-profits and state governments? Can conservationists devise similar legislative tools to improve operation of publicly owned power dams and water storage impoundments?

John Echeverria, General Counsel, American Rivers, Moderator
Tom Russo, Federal Energy Regulatory Commission
Gordon W. Russell, biologist, US Fish & Wildlife Service
John Phillips, Atlantic Salmon Federation

19. Using Water Rights to Protect Rivers

Sat. 11/19 – 9-10:15

As with most other property rights, private rights in water can be bought, swapped, or donated. Such transfers can provide elegant preservation solutions to some otherwise intractable protection problems. What are the rudiments of western water law? Will non-profits be able to acquire and hold water rights in certain states not now predisposed to the idea? Can the Gunnison River model be useful elsewhere? Does Wild and Scenic protection imply federally reserved water rights?

Chris Meyer, Counsel, National Wildlife Federation, Moderator
Maggie Fox, Southwestern Regional Director, Sierra Club
Stewart Shelton, Office of General Counsel, US Forest Service
John Flicker,* The Nature Conservancy
* to be confirmed

20. Investigating Land Protection in the River Corridor

Sat. 11 /19–10:45-12

Many outstanding rivers flow across private lands. Fearing a government "taking," owners often oppose designations. Private land trusts can be one solution. So can creative use of the Wild and Scenic Rivers Act itself, which does not mandate acquisition. At New Hampshire's Wildcat Brook, the Town of Jackson, private owners, non-profits, federal agencies, and the Congressional delegation unanimously supported federal designation because the specter of public acquisition was removed entirely and thoughtful planning preceded the Town's decision to seek designation. Is the Wildcat model useful in other places where acquisition is inappropriate? What existing or additional incentives are needed for land owners to donate easements or fee title, and for private trusts to make streamside preservation a high priority?

Alexander S. Gardner, Connecticut Chapter, The Nature Conservancy, Moderator
Rolf Diamont, Olmsted National Historic Site, National Park Service
Roger French, Jackson (NH) Conservation Commission
David P. Miller, Regional Director (MD/DE), Natural Lands Trust, Inc.
Everett Towle, US Forest Service
Zygmunt Plater, Professor of Law, Boston College Law School

APPENDIX B: Papers Prepared for the "Celebrate America's Rivers" Conference, Washington, D.C., November 1988.

Barrow, Pope and Mac Thorton. "The NRI of Whitewater Rivers and a Proposal to Establish a National Register of Significant Whitewater Resources."

Blackwelder, Brent. "Overview on River Planning and Management."

Beasley, Barry R. "Undertaking Statewide Rivers Assessments to Set Protection Priorities."

Brannon, Edgar B. Jr. "The Flathead Wild and Scenic River."

Breen, Ann. "Urban Waterfront Access Project."

Brown, Chris. "Strengthening the National Wild and Scenic Rivers System."

Clusen, Charles. "Strengthening the National Wild and Scenic Rivers System."

Collins, Bern C. "Creating New Federal Programs to Protect Rivers."

Collins, Bern C. "The NRI and Other Data Bases."

Conklin, William. "The Rogue Wild and Scenic River."

Conrad, David R. "Northwest Power Planning Council's Protected Areas Program: What Happened and Is It Applicable Elsewhere?."

Coyle, Kevin J. "Federal Lands Planning and Rivers--The Citizen's Perspective."

Coyle, Kevin J. "Future Federal Programs for River Protection."

Craighead, Frank C. "Twenty Year Anniversary Talk."

Craighead, John J. "Concepts of the Past - Plans For the Future."

Diamont, Rolf. "Wildcat River: Building a Cooperative Land Protection Strategy for Successful River Conservation."

Dickson, David. "Using the Grassroots to Foster Local Stream Conservation."

Dowd, John. "Groundwater and Rivers."

Dreher, Robert G. "Planning For River Protection On Federal Lands: Perspectives On The Forest Service's Program."

Echeverria, John D. "An Introduction to Federal Preemption of State River Conservation."

Echeverria, John D. "Environmental Review of the Glen Canyon Dam."

Echeverria, John D. "Future Directions in Hydroelectric Licensing and Relicensing."

Flamm, Barry R. "Protecting National Forest Rivers."

French, Roger. "The Wildcat Model."

Galvin, Denis P. "Remarks from the National Park Service."

Gardner, Richard R. "Employing Underused Federal Programs to Protect Rivers."

Gardner, Alexander S. "Land, Habitat, and Species Preservation Through Private (Nõn-Governmental) Action."

Giffen, R. Alec. "The Maine Rivers Policy."

Haubert, John. "Changing The System For Federal Rivers."

Herbst, Robert. "Volunteers - The Most Important Resource."

Hoffman, Robert C. "A Partnership for River Conservation."

Holliday, Ron. "Managing Rivers Through Interagency Cooperation."

Humphrey, Mary. "Using Public/Private Partnerships to Plan and Manage Rivers."

Huser, Verne. "Underused Federal Programs That Can Save Rivers."

Johnson, Steve. "Using Management Techniques for Protecting Riverine Values."

Leonard, George M. "Working Together to Manage Wild and Scenic Rivers."

Lund, Robert. "River Management Through Interagency Cooperation."

Lundeen, Deen. "Planning for River Protection on the National Forests."

Luscher, William. "A BLM Perspective on Managing Rivers Through Interagency Cooperation."

Marsh, Gary G. "Planning for River Protection on Federal Lands."

Meyer, Christopher H. "Instream Flow Outlook, Gains for Conservation."

Meyers, Erik. "New and Alternative Programs for Protection."

Miller, David P. "Investigating Land Protection in the River Corridor."

Mott, William P., Jr. "The Federal Role in River Protection: How to Finish What We have Begun."

Mottl, Henry T. "What Is a Friends Group?"

Mundt, Daniel Henry. "Planning for River Protection on Federal Lands."

Murch, Dana Paul. "State River Conservation and the Clean Water Act."

Olsen, Einar S. "Contribution of Statewide Comprehensive Outdoor Recreation Plans (SCORP) to River Protection."

Olson, W. Kent. "The Modesty of River Conservation."

Parkin, Drew O. "Information as a Foundation for Policy: The Pacific Northwest Rivers Study."

Parsons, Mit G. "Economic Analysis and RIver Conservation In The Public Policy Arena."

Patten, Gerald D. "Managing Rivers through Interagency Cooperation."

Phillips, John. "Atlantic Salmon and Hydro Licencsing and Relicensing in Maine."

Ranney, Sally A. "Creating New Federal Programs to Protect Rivers."

Reinsel, Earl. "Using the NRI and Other Data Bases to Identify Outstanding Rivers."

Richerson, Derek. "Anticipating Future Conservation: Building a Superior State River Conservation System."

Robertson, Dale F. "A Challenge to the River Community."

Robison, Roland. "Remarks from the BLM."

Russell, Gordon. "Protecting Fish and Wildlife Resources Through Hydropower Relicensing."

Schwarz, Loring. "Use of Natural Heritage Program Data to Protect Riverine and Riparian Species and Habitats."

Shelton, Stuart L. "Using Water Rights to Protect the Nations River Resources."

Shumway, Dean L. and DeWitt, Thomas E. "The Electric Consumers Protection Act."

Snell, Frank W. "Managing River Recreation Activities."

Snow, James B. "Protecting the Nation's River Resources: New Directions for Congressional Action."

Spitzer, William. "Using Economic And Community Benefits to Promote River Conservation."

Starlund, Steven. "Washington's Scenic Rivers."

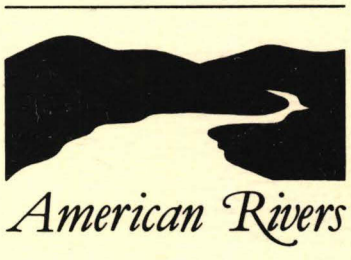
Stork, Ronald M. "FERC and State River Protection: The California Experience."

Towle, Everett. "Techniques for Land Protection in the River Corridor."

Wallin, Phillip. "Using Grass Roots to Foster Local Stream Conservation."

Wegner, David L. "Managing Glen Canyon Dam."

Wilkins, Suzanne C. "State River Programs: Keys to Success."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